IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.326 OF 2005
IN
WRIT PETITION NO.2448 OF 1999

Mr.Nalin V.Vora .. Petitioner
V/s
Commissioner of Customs (Preventive)
& Anr. .. Respondents.

Mr.Vishwajeet Sawant for the Petitioner.
Mr.P.S.Jetley for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 14/07/2005.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion, the Petitioner is seeking to recall the order dated 8.6.2005 whereby the Appeal was dismissed in default. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal. There is no case of inaction, negligence or want of bonafide on the part of the Petitioner. Hence, the Notice of Motion is made absolute in terms of prayer clause (a). Place the Writ Petition on board for final hearing on 4.8.2005.

(S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)